

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

STATE OF NEW JERSEY,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, FEDERAL HIGHWAY
ADMINISTRATION, SHAILEN BHATT, in his official
capacity as Administrator of the Federal Highway
Administration, and RICHARD J. MARQUIS, in his official
capacity as Division Administrator of the New York Division
of the Federal Highway Administration,

Defendants,

and

METROPOLITAN TRANSIT AUTHORITY and
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY,

Defendant-Intervenors.

Civil Case No. 2:23-cv-03885

DECLARATION OF RANDY M. MASTRO

I, Randy M. Mastro, declare under penalty of perjury that the following statements are true and correct:

1. I am an attorney licensed and admitted to practice in the State of New Jersey and a partner at King & Spalding LLP, attorneys for Plaintiff State of New Jersey (“Plaintiff” or “New Jersey”). I submit this Declaration in support of Plaintiff’s Motion for Summary Judgment.

2. Attached hereto as **Exhibit A** is a glossary of acronyms used in Plaintiff’s Memorandum of Law in Support of its Motion for Summary Judgment.

3. Attached here as **Exhibit 1** is a true and correct copy of Table 10-8 from the Final Environmental Assessment (“Final EA”) that is highlighted and annotated by Plaintiff.¹

4. Attached hereto as **Exhibit 2** is a true and correct copy of Table 10-9 from the Final EA that is highlighted and annotated by Plaintiff.

5. Attached hereto as **Exhibit 3** is a true and correct copy of Table 4A-6 and Table 4A-13 from the Final EA that is highlighted and annotated by Plaintiff.

6. Attached hereto as **Exhibit 4** is a true and correct copy of an excerpt of the Final Finding of No Significant Impact (“FONSI”), published by FHWA on June 23, 2023, that is highlighted and annotated by Plaintiff.²

7. Attached hereto as **Exhibit 5** is a true and correct copy of Figure 10-16 from the Final EA that is highlighted and annotated by Plaintiff.

8. Attached hereto as **Exhibit 6** is a true and correct copy of Table 10-16 from the Final EA that is highlighted and annotated by Plaintiff.

9. Attached hereto as **Exhibit 7** is a chart compiling information from the Final EA. This chart relies on underlying information that has previously been filed on the docket at ECF 7-7 (Appendix 17 to the Final EA).

10. Attached hereto as **Exhibit 8** is a chart compiling information from the Administrative Record, the Final EA, and FONSI.

11. Attached hereto as **Exhibit 9** is a true and correct copy of Table 2-2 from the Final EA that is highlighted and annotated by Plaintiff.

¹ The Final EA (absent appendices) was filed at ECF 7-1 through 7-6.

² The Final FONSI was filed at ECF 1-3.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 10, 2023
New York, New York

/s/ Randy M. Mastro

Randy M. Mastro